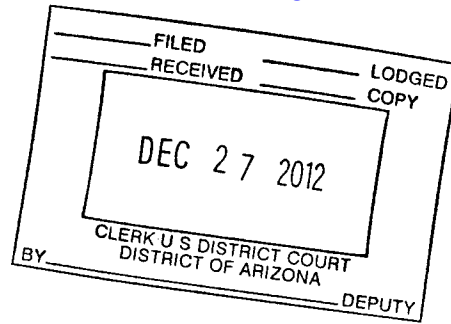


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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Maria Rosalba Mogollon-Hernandez,

12-01217M
PLEA AGREEMENT
(Flip Flop)

Fast Track 5K3.1

The Parties enter into the following agreement:

1. Maria Rosalba Mogollon-Hernandez will enter a plea to Count 2 of the complaint, Alien Eluding Examination and Inspection by Immigration Officers of the United States, a petty misdemeanor offense, in violation of Title 8, United States Code § 1325. This plea will occur no later than the time set for the detention hearing/preliminary hearing.

2. The government will dismiss Count 1 of the complaint, Illegal Re-Entry After Deportation, a felony, in violation of Title 8, United States Code § 1326(b)(2). This charge, if proven, carries a maximum sentence of 20 years imprisonment, \$250,000 fine, up to 3 years supervised release, and a \$100 special assessment. The government will dismiss this charge at the time of sentencing.

3. The maximum penalties for the offense to which I am pleading are six (6) months in custody, a \$5,000 fine, and a \$10 special assessment.

4. Pursuant to this plea agreement, the government and the defendant stipulate and agree to a sentence of 180 consecutive days of imprisonment to be served in a designated Bureau of Prisons facility.

5. The parties waive a Pre-sentence Report and agree that sentencing will occur on the date of the change of plea. The defendant understands and agrees that this plea agreement contains all terms, conditions, and stipulations regarding sentencing. If the court departs from the terms and conditions set forth in this plea agreement, either party may withdraw.

6. Pursuant to this plea, the defendant waives: (1) any right to appeal the Court's entry of judgment against defendant; (2) any right to appeal the imposition of sentence upon defendant under Title 18, United States Code § 3742 (sentence appeals); and (3) any right to collaterally attack defendant's conviction and sentence under Title 28, United States Code § 2255, or any other collateral attack. If the defendant files a notice of appeal or habeas petition, notwithstanding this agreement, defendant agrees that this case shall, upon motion of the government, be remanded to the district court to determine whether the defendant is in breach of this agreement and, if so, to permit the government to withdraw from the plea agreement.

7. The elements of Improper Entry By an Alien are as follows:

- (a) The defendant is not a citizen of the United States,
- (b) The defendant entered or attempted to enter the United States, and
- (c) The defendant entered or attempted to enter at any time or place other than as designated by immigration officer.

10. I agree that this written plea agreement and an addendum contain all the terms and conditions of my guilty plea.

- 3

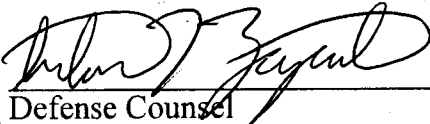
11. Factual Basis for Plea:

I, Maria Rosalba Mogollon-Hernandez, am a citizen of Columbia. On or about December 17, 2012, I was found in the District of Arizona at or near Lukeville. As evidenced by my illegal presence in the District of Arizona, I further admit that I entered the United States from the Republic of Mexico, on or about December 17, 2012 at or near Lukeville, Arizona at a time and place other than as designated by Immigration Officers of the United States.

Dated this 24 day of December, 2012



Maria Rosalba Mogollon-Hernandez
Defendant


Defense Counsel

John S. Leonardo
United States Attorney
District of Arizona


Assistant U.S. Attorney